

PATENT

Docket No.: 55763US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Anatoly Z. Rosenflanz

Serial No.: 09/618,876

Filed: July 19, 2000

For: FUSED Al_2O_3 - Y_2O_3 - ZrO_2 EUTECTIC ABRASIVE
PARTICLES, ABRASIVE ARTICLES, AND METHODS
OF MAKING AND USING THE SAME

Group Art Unit: 1755

Examiner: M. Marcheschi

CERTIFICATE OF TRANSMISSIONI hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office
fax number (703) 872-9639 on the date specified below:

January 31, 2002

Date

Lisa Nguyen

Signature

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(b)Commissioner for Patents
Washington, DC 20231

Dear Sir:

Petitioner, 3M Innovative Properties Company, a corporation of the State of Delaware having a place of business at 3M Center, St. Paul, Minnesota, represents that it is the exclusive owner of the entire interest in the above-identified Application by virtue of an Assignment recorded at Reel 011115, Frame 0777, on July 19, 2000. Petitioner further represents that it is the exclusive owner of the entire interest in U.S. Patent Application having Serial No. 09/772,730, by virtue of an Assignment recorded at Reel 011530, Frame 0543, on January 30, 2001; 09/618,879, by virtue of an Assignment recorded at Reel 011115, Frame 0788, on July 19, 2000; 09/619,106, by virtue of an Assignment recorded at Reel 011126, Frame 0549, on July 19, 2000; 09/619,289, by virtue of an Assignment recorded at Reel 011115, Frame 0759, on July 19, 2000; 09/704,843, by virtue of an Assignment recorded at Reel 011303, Frame 0188, on November 20, 2000*; 09/619,215, by virtue of an Assignment recorded at Reel 011126, Frame 0587, on July 19, 2000; 09/619,729, by virtue of an Assignment recorded at Reel

**Although the Assignment is dated November 2, 2000, and was submitted with the application under a Rule 1.110 Express Mail Certificate on November 2, 2000, the recordation date on the Recorded Assignment is November 20, 2000.*

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011134, Frame 0039, on July 19, 2000; 09/620,262, by virtue of an Assignment recorded at Reel 011014, Frame 0617, on July 19, 2000; 09/619,192, by virtue of an Assignment recorded at Reel 011127, Frame 0814, on July 19, 2000; 09/619,191, by virtue of an Assignment recorded at Reel 011127, Frame 0838, on July 19, 2000; 09/619,563, by virtue of an Assignment dated July 19, 2000 (copy attached); and 619,744, by virtue of an Assignment recorded at Reel 011115, Frame 0835, on July 19, 2000.

Petitioner disclaims the terminal part of any patent granted on the '876 Application which would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted from any of the '106, '289, '215, '729, and '744 Applications as presently not shortened by terminal disclaimer, and the '192, '191, '730, '879, '843, '262, and '563 Applications as presently shortened by terminal disclaimer. Petitioner hereby agrees that any patent granted on the '876 Application shall be enforceable only for and during such period that the legal title to such patent and any patent granted from any of the '730, '879, '106, '289, '843, '215, '729, '262, '192, '191, '563, and '744 Applications are commonly owned. This agreement is to run with any patent granted on the '876 Application and to be binding upon the grantee, its successor, or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the '876 Application prior to the expiration date of the full statutory term, as presently not shortened by terminal disclaimer, of any patent granted from any of the '106, '289, '843, '215, '729, and '744 Applications if it: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is otherwise terminated prior to the expiration of its full statutory term as presently not shortened by terminal disclaimer if any.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the '876 Application prior to the expiration date of the full statutory term, as presently shortened by terminal disclaimer, of any patent granted from any of the '192, '191, '730, '879, '843, '262, and '563 Applications if it: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is

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otherwise terminated prior to the expiration of its full statutory term as presently shortened by terminal disclaimer if any.

Documents establishing the chain of title of the subject patent (including the aforementioned Assignment and a recording location) have been reviewed and I certify that, to the best of my knowledge and belief, title is in Petitioner.

I declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the above-identified Application or any patent issuing thereon.

Please charge the fee provided in 37 C.F.R. 1.20(d) to Deposit Account No. 13-3723.

Registration Number 35,048	Telephone Number 651-736-0641
Date <i>January 29, 2002</i>	

Respectfully submitted,

By


Gregory D. Allen

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